

## REQUEST FOR COUNCIL ACTION

MEETING

DATE: 11-03-03

17

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: PLANNING	ITEM NO. <b>D-8</b>
ITEM DESCRIPTION: Orderly Annexation #03-27 by Randy Reynolds to annex approximately 2.97 acres of land located north of 30 <sup>th</sup> Avenue SE, along the west side of Marion Road SE, known as the Priebe Stables property. The property is located in a part of the N ½ of the SE ¼ of Marion Township.		PREPARED BY: Theresa Fogarty, Planner

October 29, 2003

### **Planning Department Recommendation:**

See attached staff report, dated October 29, 2003.

As part of the Orderly Annexation Agreement, property taxes payable on annexed land shall continue to be paid to the Town of Marion for the entire year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, based on the date specified in the order from the Minnesota Municipal Board, the City may levy on the annexed areas beginning with that levy year. If the annexation becomes effective after August 1 of a levy year, the Town may continue to levy on the annexed area for that levy year. Thereafter property taxes on the annexed land shall be paid to the City.

### **Council Action Needed:**

1. If the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare a resolution to be adopted and transmitted to the MN Planning/Office of Strategic and Long Range Planning. The resolution shall also include that all land included in this annexation be zoned "I - Interim" upon annexation.
2. The signed resolution and a copy of the Joint Resolution for Orderly Annexation (Marion Area #2) should be transmitted to the MN Planning / Office of Strategic and Long Range Planning by the City Clerk (attached is a filing fee for the application in the amount of \$25.00). The resolution and a copy of the Joint Resolution shall also be sent to the Town of Marion and the Olmsted County Auditor/Treasurer.

### **Attachments**

1. Staff report, dated October 29, 2003.

### **Distribution:**

1. City Administrator
2. City Clerk: Filing Fee Attached
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, November 3, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. GGG Engineering

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

18



# ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

*Olmsted*

[www.olmstedcounty.com/planning](http://www.olmstedcounty.com/planning)



**TO: Rochester Common Council**

**FROM: Theresa Fogarty, Planner**

**DATE: October 29, 2003**

**RE: Orderly Annexation #03-27 by Randy Reynolds to annex approximately 2.97 acres of land located north of 30<sup>th</sup> Avenue SE, along the west side of Marion Road SE, known as the Priebe Stables property. The property is located in a part of the N ½ of the SE ¼ of Marion Township.**

## **Planning Department Review:**

<b>Applicants/Owners:</b>	Randy Reynolds 6791 Buck Ridge Court NE Rochester, MN 55906
<b>Consultant:</b>	GGG Engineering 14070 Highway 52 SE Chatfield, MN 55923
<b>Location of Property:</b>	The property is located north of 30 <sup>th</sup> Avenue SE, along the west side of Marion Road SE, known as the Priebe Stables property.
<b>Existing Land Use:</b>	This property is currently undeveloped land with existing outbuildings for the previous use known as Priebe Stables.
<b>Size:</b>	The property proposed for annexation is approximately 2.97 acres.
<b>Existing Zoning:</b>	The City has extraterritorial zoning control over this property. The property is zoned "Interim".
<b>Future Zoning:</b>	It is recommended that this property be placed in the "I" Interim Zoning District until a petition to amend the zoning district has been approved by the City Council.
<b>Land Use Plan:</b>	This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.
<b>Adjacency to the Municipal Limits:</b>	The area proposed for annexation is allowed, according to the Joint Resolution for Orderly Annexation between the City of Rochester and the Townboard of Marion, Item #7, Paragraph (c) a landowner seeks to develop a residential,



19 -

**Adjacency to the Municipal  
Limits (continued):**

commercial, industrial, or governmental use on land which is platted or subdivided or which is proposed to be platted or subdivided for development at a density of more than one unit per 40 acres. In such instance, review by the Rochester Planning and Zoning Commission shall not be required prior to the City acting upon said petition.

**Utilities:**

Pursuant to Minnesota Statutes 414.033 (subd.13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

**Townboard Review:**

Townboard review is not required for this annexation.

**Report Attachments:**

1. Location / Annexation Map

**Staff Recommendation:**

Section 7, Paragraph (c) of the Joint Resolution for Orderly Annexation (Marion Area # 3) between the City of Rochester and Townboard of Marion allows a landowner seeks to develop a residential commercial, industrial, or governmental use on land which is platted or subdivided or which is proposed to be platted or subdivided for development at a density of more than one unit per 40 acres. In such instance, review by the Rochester Planning and Zoning Commission shall not be required prior to the City acting upon said petition.

Staff recommends that the City adopt a resolution annexing the property.

The resolution approved by the City Council shall include the City Zoning classification as "I" Interim.

